

South Carolina Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

and

Charleston District, Corps of Engineers
69-A Hagood Avenue
Charleston, South Carolina 29403-5107

April 3, 2013

Joint Permit Application Public Notice

Lowcountry Marina Holdings, LLC, 2013-00346-2R

The Department has received an application for a permit for the alteration of a critical area. The application was submitted pursuant to the Coastal Zone Management Act (Act 123) of 1977 South Carolina General Assembly. The application in brief, is described as follows:

Applicant: Lowcountry Marina Holdings, LLC

Location: On and adjacent to Clouter Creek at 669 Marina Drive, Ste B-11, City of Charleston, Berkeley County, South Carolina.
TMS: 271-00-01-087.

Work: The work as proposed consists of dredging. Specifically, the applicant seeks to dredge approximately 6,500 cubic yards of material over a 0.69 acre area. In more detail, the area will be dredged to -6.0 MLW with a 1.0' over-depth and a 4:1 side slope. The excavator will be placed on a barge and the material will be placed in a fabricated container on the barge lined with a watertight, biodegradable liner. The barge will be spudded down during dredging with a turbidity curtain installed around the operation. The dredge material will ultimately be transferred to an existing borrow pit at O.L. Thompson work yard where it will be placed in the pit and covered. There are no outfalls from the pit, so there will be no chance for effluent release. The work as described is for restoring safe navigation and berthing depths at the existing marina.

This public notice is being distributed to all known interested persons and agencies to assist in developing facts on which a decision by the Department can be based. Comments concerning the proposed work must be submitted in writing, setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

Comments regarding this application must be received by the Department on or before May 3, 2013. For more information, please contact Steve Brooks at 843-953-0235 or via email at brooks@dhec.sc.gov.

Note: Plans depicting the proposed work are available and will be provided upon receipt of a written request or may be viewed on the Department website at www.scdhec.gov/environment/ocrm/public_notice.htm

**JOINT
PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405**

REGULATORY DIVISION

Refer to: P/N #2013-00346-2R

27 March 2013

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**LOWCOUNTRY MARINA HOLDINGS, LLC
DANIEL ISLAND MARINA DREDGING
C/O JEFF JARRARD
669 MARINA DRIVE, B-11
CHARLESTON, SOUTH CAROLINA 29492**

for a permit to perform dredging in

CLOUTER CREEK

at the Daniel Island Marina located off of Clements Ferry Road, on Marina Drive, in Berkeley County, South Carolina. Latitude: 32.889756 N; Longitude: -79.935869 W.

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by the Corps until

15 Days from the Date of this Notice

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of dredging approximately 6,500 cubic yards of material over a 0.69 acre area. In detail, the dredged material will be excavated mechanically to a depth of -6.0' MLW with 1.0' of overdepth with a 4:1 side slope. The excavator will be located on a barge and the dredged material will be placed in a fabricated container on the barge lined with a watertight, biodegradable liner. The barge will be spudded down during dredging with a turbidity curtain installed around the dredging operation. The material will be transferred from the barge container

with a land-based excavator and placed in dump trucks that are fitted with a sealed, watertight gate and lined with a biodegradable, watertight liner. The dredged material will be hauled approximately 1.5 miles north on Clements Ferry Road to an existing borrow pit at O.L Thompson work yard where it will be placed in the borrow pit. The dredged material will ultimately be covered by other material used to fill the borrow pit. There is no outfall from the borrow pit to any receiving water; therefore, there will be no effluent release from the dredged material or the disposal site. It is estimated that the proposed work will require four (4) weeks to complete and future maintenance events will be performed at approximately five (5) year intervals when the depths in the marina basin accrete to approximately -4' MLW. Due to the use of turbidity curtains, and the placement of the dredged material to avoid a return water discharge, the applicant is not proposing sediment testing. Due to the minimal impacts and absence of a Section 404 discharge, no mitigation is proposed. In addition, due to the "minimal, short term, and confined nature of the impacts, the applicant also requests authorization, if necessary, to perform maintenance dredging activities outside the traditional dredging window of November 2 to March 31." The purpose of the proposed work is to restore safe navigation and berthing depths at a private marina. (NOTE: A permit (PN#98-1T-043) was proffered on September 25, 1998. However, there is no record of a final permit being issued or any previous dredging being conducted at this location.)

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.69 acre of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical

habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

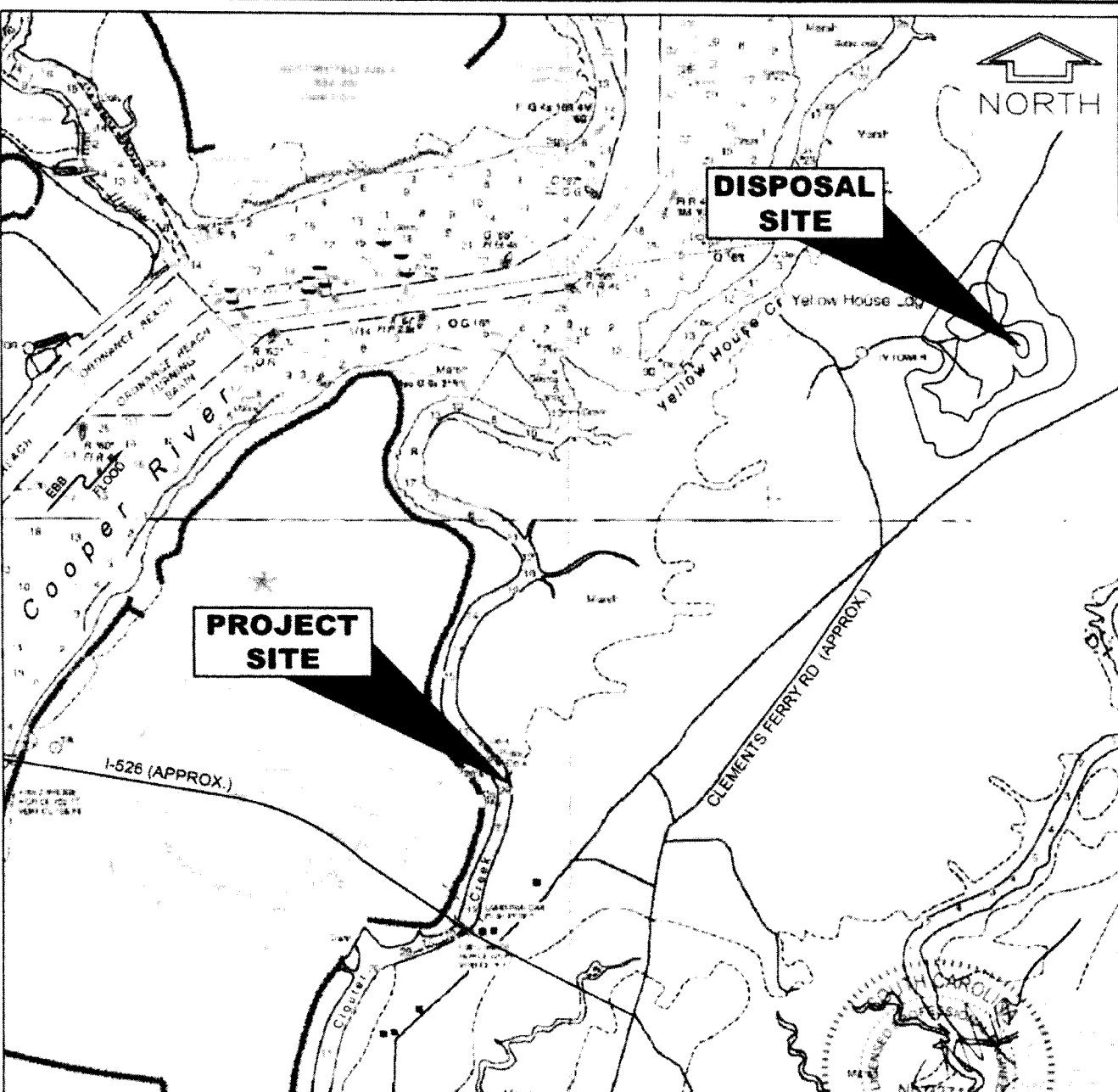
If there are any questions concerning this public notice, please contact Robin Collier-Socha at 843-329-8044 or toll free at 1-866-329-8187.

Steve Brooks
dhec - ocrm
Project manager
843-953-0235

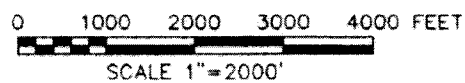


**DISPOSAL
SITE**

**PROJECT
SITE**



NOAA CHART #11524
"CHARLESTON HARBOR"



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

SAC#2013-00346-2R
Sheet 1 of 5

<p>PURPOSE: RESTORE SAFE NAVIGABLE DEPTH DATUM: MEAN LOW WATER (M.L.W.) APPLICATION BY: LOWCOUNTRY MARINA HOLDINGS, LLC USACE # ADJACENT PROPERTY OWNERS: SEE APPLICATION AGENT: OCEAN AND COASTAL CONSULTANTS, INC.</p>	<p>LOCATION MAP</p> <p>LOWCOUNTRY MARINA HOLDINGS, LLC 669 MARINA DRIVE, B-11 CHARLESTON, SC 29492</p>	<p>PROPOSED: MAINTENANCE DREDGING</p> <p>AT: DANIEL ISLAND MARINA, CLOUTIER CREEK</p> <p>COUNTY OF: BERKELEY STATE: SOUTH CAROLINA</p> <p>DATE: 1/29/13</p>
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0 80 160 FT.
SCALE 1"=80'-0"



MEAN LOW WATER
EL. 0.0'

NOTES:

1. THE CRITICAL AREA LINE SHOWN ON THESE DRAWINGS IS TAKEN DIRECTLY FROM THE APRIL 13, 2010 "PLAT SHOWING OCRM CRITICAL LINE ALONG THE CLOUTER CREEK BOUNDARY LINE FOR DANIEL ISLAND MARINA, LLC, LOCATED IN ST. THOMAS - ST. DENNIS PARISH, BERKELEY COUNTY, SC". THIS PLAT WAS CERTIFIED BY STEVE BROOKS ON APRIL 19, 2010.
2. CRITICAL LINE SURVEY PERFORMED BY HEG ENGINEERS, INC., ON APRIL 13, 2010.
3. BATHYMETRIC CONTOURS SHOWN ARE EXISTING, MEASURED IN FEET, NEGATIVE UNLESS SHOWN OTHERWISE AND REFERENCED TO MEAN LOW WATER (MLW). HYDROGRAPHIC SURVEY PERFORMED BY WESTON & SAMPSON ENGINEERS ON JANUARY 11, 2013.
4. FLOATING DOCK ANCHOR SYSTEM NOT SHOWN.

FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: RESTORE SAFE NAVIGABLE DEPTH
DATUM: MEAN LOW WATER (M.L.W.)
APPLICATION BY: LOWCOUNTRY MARINA HOLDINGS, LLC
USACE #:
ADJACENT PROPERTY OWNERS:
SEE APPLICATION
AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

SAC#2013-00346-2R
Sheet 2 of 5

EXISTING SITE PLAN

LOWCOUNTRY MARINA HOLDINGS, LLC
669 MARINA DRIVE, B-11
CHARLESTON, SC 29492

PROPOSED: MAINTENANCE DREDGING

AT: DANIEL ISLAND MARINA,
CLOUTER CREEK

COUNTY OF: BERKELEY
STATE: SOUTH CAROLINA

DATE: 1/29/13



MEAN LOW WATER
EL. 0.0'

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4. SEE SHEET 5 FOR SECTIONS.

5. SEE SHEET 6 FOR DISPOSAL SITE.

FOR PERMIT USE ONLY
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PURPOSE: RESTORE SAFE NAVIGABLE DEPTH
DATUM: MEAN LOW WATER (M.L.W.)
APPLICATION BY: LOWCOUNTRY MARINA HOLDINGS, LLC
USACE #:
ADJACENT PROPERTY OWNERS:
SEE APPLICATION

AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

SAC#2013-00346-2R
Sheet 3 of 5

PROPOSED DREDGE PLAN

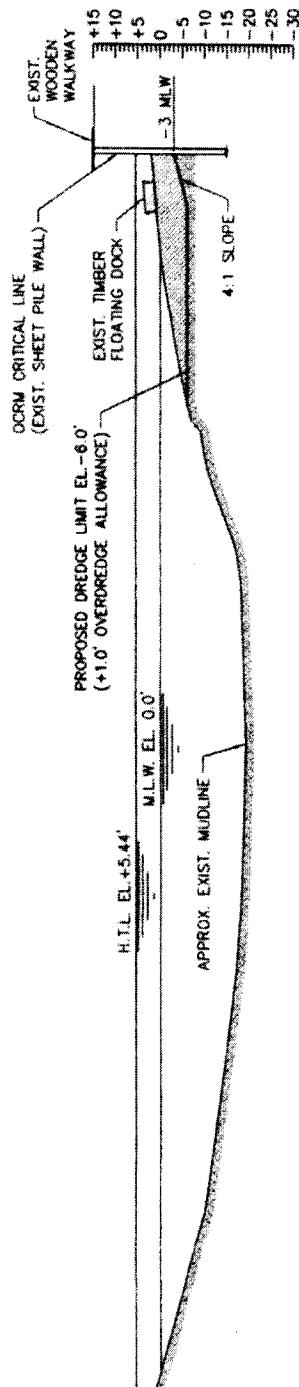
LOWCOUNTRY MARINA HOLDINGS, LLC
669 MARINA DRIVE, B-11
CHARLESTON, SC 29492

PROPOSED: MAINTENANCE DREDGING

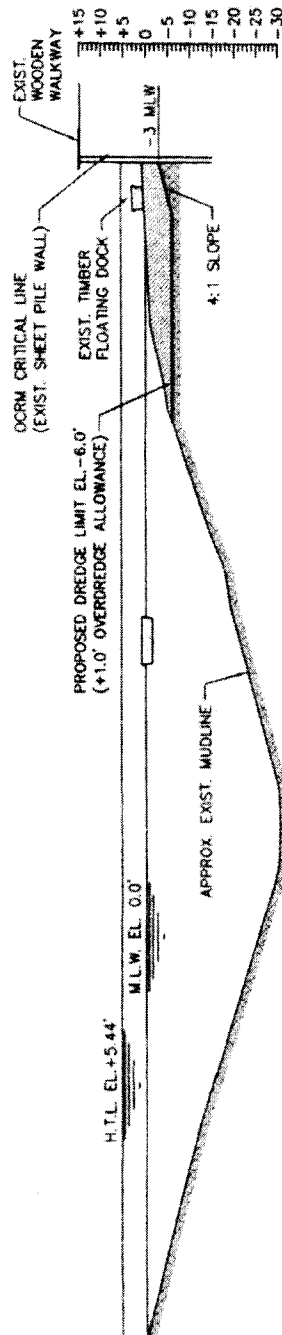
AT: DANIEL ISLAND MARINA,
CLOUTER CREEK

COUNTY OF: BERKELEY
STATE: SOUTH CAROLINA

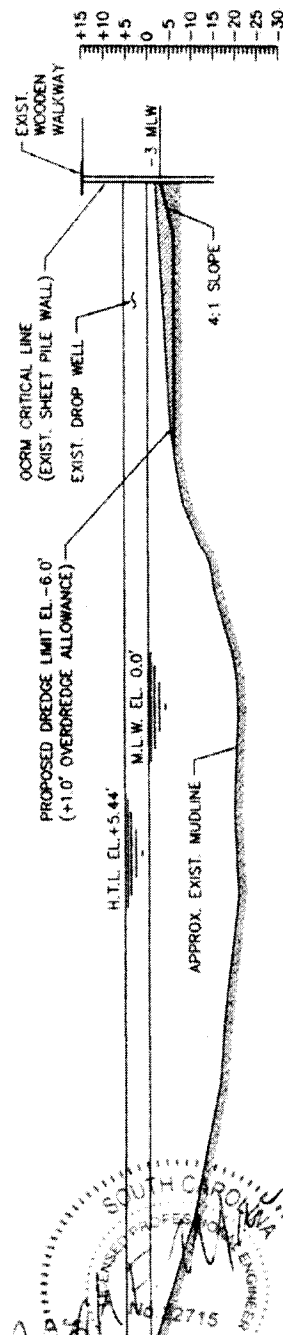
DATE: 1/29/13



SECTION A-A

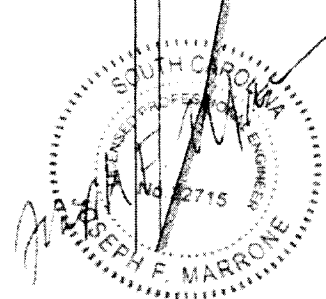


SECTION B-B



SECTION C-C

SAC#2013-00346-2R
Sheet 4 of 5



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: RESTORE SAFE NAVIGABLE DEPTH
DATUM: MEAN LOW WATER (M.L.W.)
APPLICATION BY: LOWCOUNTRY MARINA HOLDINGS, LLC
USACE #:
ADJACENT PROPERTY OWNERS:
SEE APPLICATION
AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

PERMIT MODIFICATION
PROPOSED SECTIONS
LOWCOUNTRY MARINA HOLDINGS, LLC
669 MARINA DRIVE, B-11
CHARLESTON, SC 29492

PROPOSED: MAINTENANCE DREDGING
AT: DANIEL ISLAND MARINA,
CLOUTER CREEK
COUNTY OF: BERKELEY
STATE: SOUTH CAROLINA
DATE: 1/29/13

SHEET 4 OF 5

